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REMARKS

The Office action has been carefully considered. The Office action rejected claims 1-9 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,819,092 to Ferguson et al. ("Ferguson") in view of U.S. Patent No. 6,480,850 B1 to Veldhuisen et al. ("Veldhuisen"). Further, the Office action rejected claims 10-24 under 35 U.S.C. § 102(b) as being anticipated by Ferguson. Applicants respectfully disagree.

By present amendment, claims 1, 10, 16, 23, and 24 have been amended for clarification and not in view of the prior art. Applicants submit that the claims as filed were patentable over the prior art of record, and that the amendments herein are for purposes of clarifying the claims and/or for expediting allowance of the claims and not for reasons related to patentability. Reconsideration is respectfully requested.

Applicants thank the Examiner for the interview held (by telephone) on May 25, 2004. During the interview, the Examiner and applicants' attorney discussed the claims with respect to the prior art. The essence of applicants' position is incorporated in the remarks below.

Prior to discussing reasons why applicants believe that the claims in this application are clearly allowable in view of the teachings of the cited and applied references, a brief description of the present invention is presented.

The present invention is directed to a robust and efficient service-to-service communications protocol that may handle change information in an identity-centric data access architecture. As such, the system may maintain a role-based

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relationship for each and every user of each and every service. Thus, when data is changed at one service, the change data may be published to other services such that other users of these other services can be made aware of such changes if certain users of the other services have a role defined as a subscriber of change data from the first service. In order to facilitate the exchange of change data between services, a communications protocol may be used because the manner in which each service typically stores data is different from service to service, *i.e.*, an email data construct is different from a calendar appointment data construct.

In one implementation, a "publisher" refers to the service which is the source of the data, while a "subscriber" refers to the service that receives the data. The publisher and subscriber may maintain updated information about each other's users in order to accomplish selective data communication and filtering. As such, this system is able to determine that at least one user of the second service has a role that is a subscriber role of change data in relation to at least one user of the first service and is also able to communicate the change data of the first service to the second service using a service-to-service communications protocol. Note that the above description is for example and informational purposes only, and should not be used to interpret the claims, which are discussed below.

§102(b) Claim Rejections

Turning to the claims, independent claim 10 as amended recites a method comprising determining that at least one user of a second service has a role that is a subscriber role of change data in relation to at least one user of a first service, communicating data from the first service to the second service using a service-to-

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service communications protocol, the data including change data of at least one user of the first service, receiving the data at the second service, and updating information at the second service based on the change data.

As mentioned above, the Office action rejected claim 10 as being anticipated by Ferguson. More specifically, the Office action contends that Ferguson teaches communicating data from the first service to the second service using a service-to-service communications protocol, the data including change data of at least one user of the first service. Column 11, lines 10-26 of Ferguson is referenced. Further, the Office action contends that Ferguson teaches receiving the data at the second service. Column 11, lines 19-26 of Ferguson is referenced. Finally, with respect to claim 10, the Office action contends that Ferguson teaches updating information at the second service based on the change data. Column 11, lines 15-26 of Ferguson is referenced. Applicants respectfully disagree.

Ferguson teaches, generally, an online editing system for creating services having any number of subservices capable of communicating data between these subservices. As such, different services may communicate data back and forth when various updates and changes are made to files maintained at one or more services.

However, Ferguson does not show any teaching or even any appreciation for roles assigned to user of the services such that relationships between users may be maintained. The teachings of Ferguson are directed to the mere communication of update data between services using a service-to-service communication protocol. More specifically, the only disclosure in Ferguson that

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describes the nature of this communication is at column 11, lines 10-26 as referenced by the Office action. This section of Ferguson simply states that using a service-to-service protocol of Ferguson, online services may automatically update another service and/or pass along user registration data without user intervention. That is, without providing any detail as to how, this section of Ferguson simply states that update information may be communicated between services. Ferguson is silent as the nature of the communication, the sender and recipient of this update information, or even as to what the update information comprises. Such a limited disclosure cannot be construed to teach determining that at least one user of a second service has a role that is a subscriber role of change data in relation to at least one user of a first service as recited in amended claim 10. Accordingly, applicants submit that claim 10, as amended, is allowable over the prior art of record for at least the foregoing reasons.

Applicants respectfully submit that dependent claims 11-15, by similar analysis, are allowable. Each of these claims depends either directly or indirectly from claim 10 and consequently includes the recitations of independent claim 10. As discussed above, Ferguson fails to disclose the recitations of claim 10 and therefore these claims are also allowable over the prior art of record. In addition to the recitations of claim 10 noted above, each of these dependent claims includes additional patentable elements.

For example, claim 12 recites resending the data from the first service to the second service if the response is not received at the first service. Nowhere can there be found in Ferguson any disclosure of resending any data, let alone

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resending the data from the first service to the second service if the response is not received at the first service as recited in claim 12. Applicants submit that claim 12 is allowable for at least this additional reason.

Turning to the next independent claim, amended claim 16 recites in a computer network, determining that at least one user of a second service has a role that is a subscriber role of change data in relation to at least one user of a first service, receiving a change from a the at least one user at a the first service, and communicating change data from a first service to a second service that subscribes to change information from the first service, the change data communicated automatically via a service-to-service communications protocol.

As was discussed above, Ferguson does not show any teaching or even any appreciation for roles assigned to user of the services such that relationships between users may be maintained. The teachings of Ferguson are directed to the mere communication of update data between services using a service-to-service communication protocol. More specifically, the only disclosure in Ferguson that describes the nature of this communication is at column 11, lines 10-26 as referenced by the Office action. As was discussed above, this section of Ferguson simply states that using a service-to-service protocol of Ferguson, online services may automatically update another service and/or pass along user registration data without user intervention. Ferguson is silent as the nature of the communication, the sender and recipient of this update information, or even as to what the update information comprises. This limited disclosure fails to teach determining that at least one user of a second service has a role that is a subscriber role of change

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data in relation to at least one user of a first service as recited in amended claim 16. As such, applicants submit that claim 16, as amended, is allowable over the prior art of record for at least the foregoing reasons.

Applicants respectfully submit that dependent claims 17-22, by similar analysis, are allowable. Each of these claims depends either directly or indirectly from claim 16 and consequently includes the recitations of independent claim 16. As discussed above, Ferguson fails to disclose the recitations of claim 16 and therefore these claims are also allowable over the prior art of record. In addition to the recitations of claim 16 noted above, each of these dependent claims includes additional patentable elements.

Turning to the next independent claim, amended claim 23 recites a computer-readable medium having computer-executable instructions for determining that at least one user of a second service has a role that is a subscriber role of change data in relation to at least one user of a first service, communicating data from the first service to the second service using a service-to-service communications protocol, the data including change data of at least one user of the first service, receiving the data at the second service, and updating information at the second service based on the change data.

Claim 23 recites a computer-readable medium having computer-executable instructions for a method similar to the method recited in claim 10. As such, the reasons why claim 10 is allowable over the prior art of record also apply to claim 23. For example, Ferguson does not show any teaching or even any appreciation for roles assigned to user of the services such that relationships between users

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may be maintained. Such a disclosure cannot be construed to teach determining that at least one user of a second service has a role that is a subscriber role of change data in relation to at least one user of a first service as recited in amended claim 23. As such, applicants submit that claim 23, as amended, is allowable over the prior art of record for at least the foregoing reasons.

Applicants respectfully submit that dependent claim 24, by similar analysis, is allowable. This claim depends directly from claim 23 and consequently includes the recitations of independent claim 23. As discussed above, Ferguson fails to disclose the recitations of claim 23 and therefore this claim is also allowable over the prior art of record. In addition to the recitations of claim 23 noted above, this dependent claim includes additional patentable elements.

§103(a) Claim Rejections

Amended claim 1 recites in a computer network, a system comprising, a first service for providing access to data based on an associated identity of each user, a second service for providing access to data based on an associated identity of each user, and a communications mechanism configured to exchange information between the first service and the second service, the first service configured as a publisher of change data made by users via the first service, and the second service configured as a subscriber of the change data, the communications mechanism operable to determine that at least one user of the second service has a role that is a subscriber role of change data in relation to at least one user of the first service and operable to communicate the change data of the first service to the second service using a service-to-service communications protocol.

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The Office action rejected claim 1 as being unpatentable over Ferguson in view of Veldhuisen. More specifically, the Office action contends that Ferguson teaches a first service for providing access to data based on an associated identity of each user. Column 11, lines 10-26 and column 12, lines 23-27 of Ferguson are referenced. Further, the Office action contends that Ferguson teaches a second service for providing access to data based on an associated identity of each user. Again, column 11, lines 10-26 and column 12, lines 23-27 of Ferguson are referenced. Still further, the Office action contends that Ferguson teaches a communications mechanism configured to exchange information between the first service and the second service, the first service configured as a publisher of change data made by users via the first service, and the second service configured as a subscriber of the change data, the communications mechanism communicating change information of the first service to the second service using a service-to-service communications protocol. Once again, column 11, lines 10-26 and column 12, lines 23-27 of Ferguson are referenced.

The Office action acknowledges that Ferguson does not teach the concept of role-based identification as was recited in claim 1. However, the Office action contends that Veldhuisen does teach the concept of role-base identification as recited in claim 1. As such, the Office action concluded that the recitations of claim 1 would have been obvious to a person skilled in the art at the time the invention was made to combine the teachings of Ferguson with the teachings of Veldhuisen for the purpose of controlling access to personal data. Applicants respectfully

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disagree as the recitations of claim 1 have been amended to more particularly point out and distinctly claim that which the applicants regard as their invention.

Ferguson, as discussed in detail above is directed, generally, toward an online editing system for creating services having any number of subservices capable of communicating data between these subservices. As such, different services may communicate data back and forth when various updates and changes are made to files maintained at one or more services.

Veldhuisen is directed, generally, to a system and method for managing the privacy of data collected from consumer transactions. More specifically, a user of the system in Veldhuisen can set up preferences for data privacy when data is collected about the user when some consumer transaction occurs. Data can be collected, filtered, communicated, and stored based on the user's defined privacy preferences. That is, if the user does not wish the purchase location, for example, to be stored in a database of transactions, then the purchase location may be filtered out prior to communication of the data about the transaction to a storage database. See column 5, lines 31-40 of Veldhuisen.

The system of Veldhuisen, however, does not maintain relationships between users of a first service and users of a second service. Rather, the system in Veldhuisen maintains a relationship between a consumer and the consumer's data. As such, the consumer may control the amount and type of data that is communicated to a database of information, but is not able to control what other users may have access to the stored data in the data warehouse.

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In terms of claim 1, Veldhuisen does not teach nor show any cognizance of the concept of a communications mechanism operable to determine that at least one user of the second service has a role that is a subscriber role of change data in relation to at least one user of the first service. In fact, Veldhuisen even teaches away from identifying users based on any relationship with other users in that the very nature of a data privacy system is to prevent other users from gaining access to sensitive information. Thus, the system of Veldhuisen does not maintain any relationship between different consumers as any relationship would defeat the purpose of the security in the first place.

Furthermore, applicants submit that the Examiner is using hindsight reasoning as a basis for the §103 rejections. As a matter of law, obviousness may not be established using hindsight obtained in view of the teachings or suggestions of the applicants. *W.L. Gore & Assocs., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1551, 1553, 220 USPQ 303, 311, 312-13 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984). To guard against the use of such impermissible hindsight, obviousness needs to be determined by ascertaining whether the applicable prior art contains any suggestion or motivation for making the modifications in the design of the prior art article in order to produce the claimed design. The mere possibility that a prior art teaching could be modified or combined such that its use would lead to the particular limitations recited in a claim does not make the recited limitation obvious, unless the prior art suggests the desirability of such a modification. See *In re Gordon*, 733 F.2d 900, 902, 221 USPQ 1125, 1127 (Fed. Cir. 1984).

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Thus, for at least the foregoing reasons, applicants submit that claim 1 is allowable over the prior art of record whether considered alone or in any permissible combination.

Applicants respectfully submit that dependent claims 2-9, by similar analysis, are allowable. Each of these claims depends either directly or indirectly from claim 1 and consequently includes the recitations of independent claim 1. As discussed above, the prior art of record, whether considered alone or in any permissible combination, fails to disclose the recitations of claim 1 and therefore these claims are also allowable. In addition to the recitations of claim 1 noted above, each of these dependent claims includes additional patentable elements.

For example, claim 8 recites the system of claim 1 wherein the communications mechanism is further configured to communicate a response from the second service to the first service in response to the communicating of the change information from the first service to the second service. Nowhere in the teachings of Ferguson or Veldhuisen is any response disclosed, let alone a response from the second service to the first service in response to the communicating of the change information from the first service to the second service. Applicants submit that claim 8 is allowable over the prior art of record for at least this additional reason.

For at least the reasons discussed above with respect to both the §102 and §103 rejections, applicants submit that all the claims are patentable over the prior art of record. Reconsideration and withdrawal of the rejections in the Office action

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is respectfully requested and early allowance of this application is earnestly
solicited.

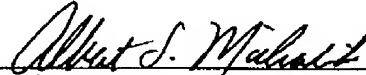
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CONCLUSION

In view of the foregoing remarks, it is respectfully submitted that claims 1-24 are patentable over the prior art of record, and that the application is in good and proper form for allowance. A favorable action on the part of the Examiner is earnestly solicited.

If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney at (425) 836-3030.

Respectfully submitted,



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